

GOVERNMENT OF ANDHRA PRADESH

A B S T R A C T

Public Service – Agricultural Marketing Department - Departmental Proceeding against Sri M. Venu Gopal Rao, Executive Engineer (AM), Guntur under Rule 20 of A.P.C.S (Conduct) Rules, 1964 - Articles of Charges - Framed - Issued.

AGRICULTURE & COOPERATION (VIG.II) DEPARTMENT

G.O.Rt.No: 1411

Dated : 02.12. 2013

O R D E R:-

It is proposed to hold an enquiry against Sri M. Venu Gopal Rao, Executive Engineer (AM), Guntur in accordance with the procedure laid down in Rule 20 of A.P.C.S (Conduct) Rules, 1964.

2. The substance of the imputations of misconduct or misbehaviour in respect of which the enquiry is proposed to be held is set out in the enclosed statement of Article of Charge (Annexure – I). A list of documents by which and a list of witnesses by whom the article of charge is proposed to be sustained are also enclosed (Annexure – II & III).

3. Sri M. Venu Gopal Rao, Executive Engineer (AM), Guntur is directed to submit within 15 days of the receipt of this order, a written statement of his defence.

4. Sri M. Venu Gopal Rao, Executive Engineer (AM), Guntur is further informed that an enquiry will be held only in respect of those articles of charges that are not admitted. He should, therefore, specifically admit or deny the each article of charge.

5. Sri M. Venu Gopal Rao, Executive Engineer (AM), Guntur is further informed that if he does not submit his written statement of defence on or before the date specified in Para 3 above or otherwise fails or refuses to comply with the provisions of rule 20 of APCS (CCA) Rules, 1991 or the orders/directions issued in pursuance of the said rules, the Inquiring Authority may hold the Inquiry against him exparte.

6. The attention of Sri M. Venu Gopal Rao, Executive Engineer (AM), Guntur is invited to Rule 24 of the A.P.C.S (Conduct) Rules, 1964 under which no Government servant shall bring or attempt to bring any political or out side influence to bear upon any superior authority to further his interest in respect of matters pertaining to his service under the Government. If any representation is received on his behalf from another person in respect of any matter dealt within these proceedings it will be presumed that Sri M. Venu Gopal Rao, Executive Engineer (AM), Guntur is aware of such representation and that it has been made at his instance and action will be taken against him for violation of Rule 24 of the A.P.C.S (Conduct) Rules, 1964.

7. The receipt of the Memo may be acknowledged.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

DR.D.SREENIVASULU,
PRL. SECRETARY TO GOVERNMENT (AM)

To

Sri M. Venu Gopal Rao, Executive Engineer (AM), Guntur (Through C & DoAM, Hyd.)
The Commissioner & Director of Agricultural Marketing, A.P., Hyderabad.
Sf/Sc.

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SECTION OFFICER

ANNEXURE.I

Statement of Article of Charges framed against Sri M. Venugopal Rao, Executive Engineer (M), Guntur.

Article of Charge 1 :-

That Sri M. Venugopal Rao, Executive Engineer (M), Guntur has committed following grave irregularities while executing the works at AMC, Kangiri.

1. He has executed the work of Construction of Godown roofing with RCC beams and slab instead of Construction of Godown with Galvanized roof 1000MT Capacity which carried out an increase of cost of Rs.9.44 lakhs.
2. He has executed the work of Construction of lemon trading shops with RCC roofing, Electrification works and Covered Auction Platforms with RCC roofing instead of Construction of lemon trading shops with RCC roof, Electrification works and Covered Auction Platforms with Galvalume roofing which carried out an increase of cost of Rs. 4,18,157.00.

Thus it shows he clearly violated the rules/procedures and provisions in APPWD code. It shows negligence towards his official duties. Thus he violated the conduct rules.

Basis:-

The administrative sanction was accorded for work "Construction of Godown with Galvanised roof 1000 MT capacity, Rythu Rest Sheds, 2 No's Toilet Blocks, Water Purification Plant, Levelling and concrete flooring etc., at Market Yard Kanigiri under AMC., Kanigiri of Prakasam District." vide proc. No. Ec/D3/958/2011-12, dt: 15.06.2011 of Commissioner and Director of Agricultural Marketing, Government of Andhra Pradesh, Hyderabad for Rs. 175.00 lakhs.

Further the Technical sanction was accorded by Superintending Engineer (AM), Hyderabad vide Proc.No.SE (AM) R.No.65/2011-12, dt: 04.07.2011 for Rs. 175.00 lakhs. The estimate for the work technically sanctioned by the competent authority provided for roofing over the Godown with Galvanised roofing only at a cost of Rs. 59.78 Lakhs (approx). in this item the sanctioned element of the galvanized roofing element is Rs. 11.12 Lakhs (approx) This technically sanctioned roofing was altered by Sri. M. Venugopal Rao the concerned Executive Engineer (AM) and the roofing with RCC beams and slab was carried out with increase cost of Rs. 9.44 Lakhs (approx), without taking any prior approval of the competent authority deliberately violating the provision in the APPWD code.

The administrative sanction was accorded for work "Construction of Lemon Trading Shops, Electrification works and Covered Auction Platforms at Market Yard, Kanigiri under AMC, Kanigiri of Prakasam District." vide proc. No. Ec/D3/958/2011-12, dt: 15.06.2011 of Commissioner and Director of Agricultural Marketing, Government of Andhra Pradesh, Hyderabad for Rs. 175.00 lakhs.

Further the Technical sanction was given by Superintending Engineer (AM), Hyderabad vide Proc.No. SE (AM) R.No.64/2011-12, dt: 04.07.2011 for Rs. 175.00 lakhs.

The scope of work and the subcomponents in the technically sanctioned estimate are:-

- a) Lemon shops with galvalume roofing =Rs.1,08,62,613/-
- b) Covered auction platform with Galvalume roofing = Rs. 41,78,150/-
- c) C.C flooring = Rs. 41,78,150/-
- d) Yard Electrification = Rs. 4,77,738/-

In his letter No. EE/AM/GNT/Working Estimate/2011-12 dated:11.01.2012, the Executive Engineer(AM) submitted that lemon traders requested for providing RCC roof instead of Galvalume roofing and that the market committee also passed a resolution accordingly. Based on the proposals of the Executive Engineer(AM), Guntur and also the resolution of the AMC the laying of the RCC roofing slab in place of the Galvalume roofing was accepted subject to a couple of conditions as stipulated in the head office memo No.Ec/D3/1144/2011-12 dated:-19.01.2012. Another letter No.14/2012-13 dated:16.08.2012 of the AMC Kanigiri requesting the changing of galvalume roofing over the covered auction platforms was also forwarded by the Executive Engineer(AM) in his endorsement no PRM/GNT/Works/2012-13 dt:14.09.2012 seeking orders. These proposals were negated and the Chairman AMC Kangiri was advised in the letter no Ec- D3/1144/2011-12 dated: 20.09.2012 to proceed with the work as per the agreement, simultaneously marking a copy to the Executive Engineer (AM) Guntur. In spite of the negation of the proposal of the change of roofing, and unmindful of the same the work was carried out with RCC roofing only and the working estimate incorporating the change was submitted in the Executive Engineers letter No. 239/EE(AM)GNT/Works/2011-12 dt:-20.11.2012.

Article of Charge 2 :-

That Sri M.Venugopal Rao Executive Engineer(AM), Guntur has submitted the workslip incorporating the deviations after completing the works mentioned in the charge No.1 which is against rules/ procedures and APPWD code. His action has not serving any purpose except throwing the departmental authorities in embarrassment situation. Thus it shows he clearly violated the rules/ procedures, negligence towards his official duties. Thus he violated the conduct rules.

Basis:-

The administrative sanction was accorded for works of "Construction of Godown with Galvanised roof 1000 MT capacity, Rythu Rest Sheds, 2 No's Toilet Blocks, Water Purification Plant, Levelling and concrete flooring etc., for Rs. 175 Lakhs vide procds. No. Enquiry committee/D3/958/2011-12, Dt: 15-06-2011 and also the administrative sanction was accorded for work "Construction of Lemon Trading Shops, Electrification works and Covered Auction Platforms at Market Yard, Kanigiri under AMC, Kanigiri of Prakasam District." vide proc. No. Ec/D3/958/2011-12, dt: 15.06.2011 of Commissioner and Director of Agricultural Marketing, Government of Andhra Pradesh, Hyderabad for Rs. 175.00 lakhs.

The technical sanction was given by Superintendent Engineer(M) for the above works vide Procds. No. SE(AM) 65/2011-12, Dt: 04-07-2011 and procds. No. SE(AM) 64/2011-12, Dt: 04-07-2011 respectively. The above technically sanctioned works were altered by Sri M.Venu gopal Rao, Executive Engineer (AM) and the roofing with RCC beams and slab was carried out with a likely increase cost of Rs. 9.44 Lakhs (approx), and Rs. 4,18,157.00 respectively without taking any prior approval of the competent authority deliberately violating the provision in the APPWD code and he submitted work slips after completion of the said altered works.

Article of Charge 3:-

That Sri M.Venugopal Rao Executive Engineer (AM) Guntur being the execute authority he violated the instructions of Superintending Engineer(AM) given in Ec/D3/1143/2011-12 dt:20.09.2012 and Ec / D3 / 1144 / 2011-12 dt: 20.09.2012 internationally and executed the works deviating the administrative sanction and technical sanction given by the authorities and increasing the cost. Thus it shows his gross negligence towards higher authorities and official duties. Thus he violated the conduct rules.

Basis:-

The Superintendent Engineer(M) informed to Chairman, Agricultural Market Committee, Kanigiri vide Lr No. EC -D3/1143/2011-12, Dt: 20-09-2012 and vide Lr No. Ec/D3/1144/2011-12 dt:20.09.2012 that the proposals of Chairman, Agricultural Market Committee, Kanigiri to change the roof of godowns from galvalume sheet to RCC is not agreed and also the proposals to Change the roof of constructions of covered auction platform from galvalume sheet to RCC are not agreed and advised to proceed with the work as per the Agreement. A copy of the above letters were marked to Executive Engineer, Guntur for information and necessary action. But Executive Engineer (M), Guntur violated the advise / instructions of the Superintendent Engineer(M) and executed the works with deviations. Thus he violated the instructions of higher authorities.

DR.D.SREENIVASULU,
PRL. SECRETARY TO GOVERNMENT (AM)

To
Sri M. Venu Gopal Rao, Executive Engineer (AM), Guntur (Through C & DoAM, Hyd.)

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ANNEXURE-II

List of documents on the basis of which the Article of Charges framed against Sri M. Venugopal Rao, Executive Engineer (M), Guntur:

1. Administrative sanction Proc.No.Ec/D3/958/2011-12, dt: 15-06-2011 of Commissioner & Director of Agril. Marketing (Godowns).
2. Technical Sanction Proc No. SE(AM)R.No. 65/2011-12, Dt: 04.07.2011 of Superintending Engineer (AM), Hyderabad.
3. Rc.No. 14/2012-13, dt: 16.08.2012 of Chairman, AMC., Kanigiri with endorsement Roc.No. PKM/GNT/Works/2012-13, Dt: 07-09-2012 / 14-09-2012 of EE (AM) Guntur.
4. Letter No. Ec/D3/1143/2011, dt: 20-09-2012 of Superintending Engineer (AM) addressed to the Chairman, AMC., Kanigiri under copy marked to EE (AM) Guntur and DEE (AM) Ongole.
5. Measurement Book No. 239/A/2011-12 (Pages 40 to 45)
6. Lr.No. 239/EE(AM)Gnt/Works/2011-12, Dt: 20-11-2012 of EE (AM) Guntur.
7. Memo No. Ec/D3/1143/2011-12 of DEE (AM) Ongole addressed to EE (AM) Guntur.
8. Lr.No. DEE (AM)Ong/2012, Dt: 31-12-2012 of DEE(AM) Ongole addressed to EE(AM) Guntur.
9. Lr.No. 239/EE(AM)GNT/Works, Dt: 31-12-2012 of Executive Engineer (AM) Guntur.
10. Administrative sanction Proc.No.Ec/D3/958/2011-12, dt: 15-06-2011 of C&DAM (lemon sheds).
11. Technical Sanction Proc No. SE(AM)R.No. 64/2011-12,Dt: 04.07.2011 of Superintending Engineer (AM), Hyderabad.
12. Letter No:EE(AM)GNT/WE/2011-12 dt:11.01.2012 of EE(AM), Guntur.
13. Memo No:Ec/D3/1144/2011-12 dt:19.01.2012 of SE (AM).
14. Letter No:14/2012-13 dt:16.08.2012 of Chairman, AMC, Kanigiri with Endorsement No:122/2012-13 dt:01.09.2012 of Deputy Executive Engineer(AM) Ongole and with endorsement of Executive Engineer(M)GNT No: PKM/GNT/Works/2012-13 dt:07.09.2012.
15. Memo No:Ec/D3/1144/2011-12 dt:20.09.2012 of SE(AM)
16. M.Book NO:238A/2011-12 pages 21 to 25
17. Letter No:239/EE(AM)GNT/Works/2011-12 dt:20.11.2012 of Executive Engineer(AM) Guntur.
18. Lr No. Ec/D3/1144/2011-12 dt:20.09.2012 of SE(M), Head Office addressed to the Chairman, AMC., Kanigiri under copy marked to EE (AM) Guntur and DEE (AM) Ongole.

DR.D.SREENIVASULU,
PRL. SECRETARY TO GOVERNMENT (AM)

To
Sri M. Venu Gopal Rao, Executive Engineer (AM), Guntur (Through C & DoAM, Hyd.)

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ANNEXURE.III

List of witness by whom by the Article of Charges framed against Sri M.Venugopal Rao,
Executive Engineer (M), Guntur

- - Nil - -

DR.D.SREENIVASULU,
PRL. SECRETARY TO GOVERNMENT (AM)

To
Sri M. Venu Gopal Rao, Executive Engineer (AM), Guntur (Through C & DoAM, Hyd.)

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